

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ARMONI MASUD JOHNSON,

Plaintiff

v.

SGT. BIENKOSKI, et al.,

Defendants

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: 3:18-CV-592  
: (JUDGE MARIANI)  
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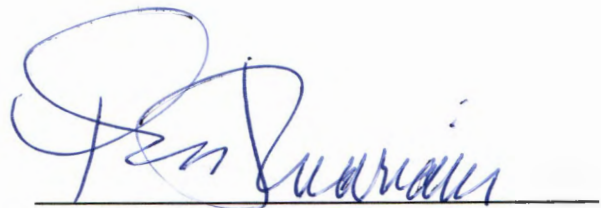
ORDER

AND NOW, THIS 21<sup>ST</sup> DAY OF MAY, 2021, upon *de novo* review of Magistrate Judge Carlson's Report & Recommendation ("R&R") (Doc. 67), Plaintiff's Objections thereto (Doc. 71), and all other relevant documents, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's Objections (Doc. 71) are **OVERRULED**. Plaintiff's "request" for summary judgment violates the M.D. Pa. Local Rules in a number of ways, as set forth in the R&R. Crucially, the "request" for summary judgment is also devoid of any evidence or statement of material facts which may support the entry of summary judgment in favor of Plaintiff but instead only briefly sets forth conclusory assertions of liability. Plaintiff's "Response" to the R&R (Doc. 71) notes these issues recognized by the Magistrate Judge, but offers no basis for this Court, upon

*de novo* review of the record, to reach a conclusion different than that set forth in the R&R.<sup>1</sup>

2. The R&R (Doc. 67) is **ADOPTED** for the reasons stated therein.
3. Plaintiff's "Request for Summary Judgment" (Doc. 66) is **DENIED**.
4. The case is **REMANDED** to Magistrate Judge Carlson for further proceedings consistent with this Order.



Robert D. Mariani  
United States District Judge

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<sup>1</sup> To the extent that Plaintiff's "Response" to the R&R includes a passing request for counsel, the Court will not consider such a request herein. Should Plaintiff believe that the appointment of counsel is warranted, he should file a separate motion setting forth this request and the basis therefor.